



Docket No.: P-0129

AS 2nd
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF APPEALS AND INTERFERENCES**

In re Application of

Confirmation No.: 8609

Dae Won JANG and Hee Jung LEE

Group Art Unit: 2684

Serial No.: 09/671,115

Examiner: Sujatha R. SHARMA

Filed: 9/28/2000

Customer No.: 34610

For: METHOD FOR TRANSMITTING EMERGENCY CALL OF MOBILE PHONE

TRANSMITTAL OF APPEAL BRIEF

U.S. Patent and Trademark Office
Customer Window, Mail Stop Appeal Brief-Patents
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

Submitted herewith is Appellant(s) Appeal Brief in support of the Notice of Appeal filed January 18, 2006. Enclosed is Check No.17379 for the Appeal Brief fee of \$500.00 (\$250.00).

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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Docket No.: **P-0129**

PATENT

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In re Application of:

Confirmation No.: **8609**

Dae Won JANG and Hee Jung LEE

Group Art Unit: **2684**

Serial No.: **09/671,115**

Examiner: **Sujatha R. SHARMA**

Filed: **September 28, 2000**

Customer No.: **34610**

For: **METHOD FOR TRANSMITTING EMERGENCY CALL OF MOBILE
PHONE**

APPEAL BRIEF

U.S. Patent and Trademark Office
Customer Window, Mail Stop Appeal
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

This Appeal is taken from the rejection of claims 1, 2, 4, 9, 11, 12, 14, 17, 18 and 20-34 as set forth in the Office Action dated November 2, 2005 (hereinafter "Office Action"). In accordance with 37 C.F.R. § 41.37, Applicant addresses the following items.

REAL PARTY IN INTEREST

The Real Party in interest in this Appeal is LG Electronics Inc., as evidenced by an Assignment filed on September 28, 2000 and recorded on Reel 011209 and Frame 0707.

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RELATED APPEALS AND INTERFERENCES

On information and belief there are no other appeals and interference which will directly affect or be directly affected by or having any bearing on the Boards decision in the pending appeal.

STATUS OF CLAIMS

Claims 1, 2, 4, 9, 11, 12, 14, 17, 18 and 20-34 are pending in this application. All claims are rejected. All claims are being appealed.

STATUS OF AMENDMENTS

An Amendment After Final Rejection was filed on April 13, 2005. This Amendment was not entered as reported in an Advisory Action dated June 17, 2005. An RCE was filed August 15, 2005. A non-final Office Action dated November 2, 2005 was issued rejecting all claims. A copy of the appealed claims 1, 2, 4, 9, 11, 12, 14, 17, 18 and 20-34 is provided in the attached Appendix.

SUMMARY OF THE CLAIMED SUBJECT MATTER

As stated in 37 C.F.R. § 41.37(c)(v), Applicant is providing the following explanation of each of the independent claims 1, 9, 14, 18 and 27 involved in this appeal. This explanation refers to the specification and drawings. The following is merely a summary and is not intended to be a discussion of the full and entire scope of the claims.

Independent Claim 1

Independent claim 1 recites a method for transmitting an emergency call using a CDMA mobile phone during roaming. For example, Fig. 1 shows a mobile phone and Fig.4

shows transmitting an emergency call. See also page 4, lines 17-21. The method may include receiving position recognition information from a base station. For example, Fig. 3 shows receiving, updating and storing a Mobile Country Code (MCC). See also page 6, line 24 – page 7, line 12.

The method may also include identifying an emergency call number from an emergency call mapping table stored in a memory using the position recognition information. For example, Fig. 2 shows a mapping table storing MCC and emergency phone numbers by countries. See also page 6, lines 17-21.

Further, the method may include storing the emergency call number in a phone book of the mobile phone. For example, Fig. 5 shows filling assigned phone book with emergency number corresponding to MCC. See also page 8, lines 19-23.

Still further, the method may include linking an emergency key to the emergency call number stored in the phone book such that when the emergency key is activated, the emergency number stored in the phone book is directly dialed without comparing the stored emergency number to other emergency numbers in the emergency call mapping table. For example, Fig. 6 shows pressing an emergency key to activate dialing an emergency number stored in the phone book. See also page 8, line 23 – page 9, line 5.

Even further, the method may include transmitting an emergency call using the emergency key. For example, Fig. 6 shows trying the call until successful. See also page 9, lines 2-5.

Moreover, the method may include wherein the position recognition information is periodically transmitted through an extended system parameter message (ESPM) of a paging channel from the base station. For example, Fig. 3 shows the position recognition

information is periodically transmitted through an extended system parameter message (ESPM). See also page 1, lines 19-22 and page 7, lines 13-17.

Additionally, the method may include wherein the emergency call mapping table includes position recognition information allocated by countries and emergency call numbers corresponding to the position recognition information such that the emergency call number can be identified from the emergency call mapping table using the position recognition information in the ESPM without requiring modification of the ESPM to include an emergency call number. For example, Figs. 2 and 4 showing an emergency call mapping table including position recognition information allocated by countries and emergency call numbers corresponding to the position recognition information and that the emergency call number can be identified from the emergency call mapping table using the position recognition information in the ESPM without requiring modification of the ESPM to include an emergency call number. See also page 8, lines 1 - 12.

Independent Claim 9

Independent claim 9 recites a method for transmitting an emergency call of a CDMA mobile phone. For example, Fig. 1 shows a mobile phone and Fig.4 shows transmitting an emergency call. See also page 4, lines 17-21. The method may include receiving position recognition information from a base station via a forward channel in roaming a mobile terminal. For example, Fig. 3 shows receiving, updating and storing a Mobile Country Code (MCC). See also page 6, line 24 – page 7, line 12.

The method may also include searching an emergency call mapping table previously stored in a memory according to the received position recognition information and setting an emergency call number. Fig. 2 shows a mapping table storing MCC and emergency phone

numbers by countries. See also page 8, lines 5-12.

Further, the method may include storing the emergency call number in a phone book of the mobile phone. For example, Fig. 5 shows filling assigned phone book with emergency number corresponding to MCC. See also page 8, lines 19-23.

Still further, the method may include linking a one-touch dial to the emergency number stored in the phone book such that when the one-touch dial is activated, the emergency number stored in the phonebook is directly dialed without comparing the stored emergency number to other emergency numbers in the emergency call mapping table. For example, Fig. 6 shows pressing an emergency key to activate dialing an emergency number stored in the phone book. See also page 8, line 23 – page 9, line 5.

Even further, the method may include transmitting an emergency call by using the one-touch dial. For example, Fig. 6 shows trying the call until successful. See also page 9, lines 2-5.

Moreover, the method may include wherein the position recognition information is transmitted through an extended system parameter message (ESPM) of the forward channel. For example, Fig. 3 shows the position recognition information is transmitted through an extended system parameter message (ESPM). See also page 1, lines 19-22 and page 7, lines 13-17.

Additionally, the method may include wherein the emergency call mapping table includes position recognition information allocated by countries and emergency call numbers corresponding to the position recognition information such that the emergency call number can be identified from the emergency call mapping table using the position recognition information in the ESPM without requiring modification of the ESPM to include an

emergency call number. For example, Figs. 2 and 4 showing an emergency call mapping table including position recognition information allocated by countries and emergency call numbers corresponding to the position recognition information and that the emergency call number can be identified from the emergency call mapping table using the position recognition information in the ESPM without requiring modification of the ESPM to include an emergency call number. See also page 8, lines 1 – 12.

Independent Claim 14

Independent claim 14 recites a method for transmitting an emergency call of a CDMA mobile phone. For example, Fig. 1 shows a mobile phone and Fig.4 shows transmitting an emergency call. See also page 4, lines 17-21. The method may include allocating position recognition information and an emergency call number to a mapping table. For example, Fig. 2 shows a mapping table storing MCC and emergency phone numbers by countries. See also page 6, lines 17-21.

Further, the method may include receiving position recognition information that is periodically transmitted from a base station. For example, Fig. 3 shows receiving, updating and storing a Mobile Country Code (MCC). See also page 6, line 24 – page 7, line 17.

Still further, the method may include searching an emergency call number by comparing the received position recognition information to position recognition information stored in the mapping table and storing the emergency call number in a phone book of the mobile phone. For example, Fig. 5 shows searching an emergency call number and filling assigned phone book with emergency number corresponding to MCC. See also page 8, lines 19-23.

Even further, the method may include linking a read address of the emergency call

number stored in the phonebook to a one-touch dial. For example, Fig. 6 shows pressing an emergency key to activate dialing an emergency number stored in the phone book. See also page 8, line 23 – page 9, line 5.

Moreover, the method may include automatically replacing the emergency number stored in the phonebook with a new emergency number if new position recognition information is received indicating the mobile phone has moved to a new position by searching the mapping table to identify the new position information and the corresponding new emergency number and replacing the emergency number stored in the phonebook with the new emergency phone number. For example, Fig. 5 shows updating and storing an MCC. See also page 8, lines 19-24 and page 9, lines 21-24.

Additionally, the method may include making an emergency call by using the one-touch dial. For example, Fig. 6 shows pressing an emergency key to activate dialing an emergency number stored in the phone book. See also page 8, line 23 – page 9, line 5.

The method may also include wherein the position recognition information is transmitted through an extended system parameters message. For example, Fig. 3 shows receiving an MCC through an ESPM. See also page 6, line 24 – page 7, line 5.

Independent Claim 18

Independent claim 18 recites a method for making an emergency phone call using a phone in a CDMA mobile communication system. For example, Fig. 1 shows a mobile phone and Fig. 4 shows transmitting an emergency call. See also page 4, lines 17-21. The method may include receiving current location information. For example, Fig. 3 shows receiving, updating and storing a Mobile Country Code (MCC). See also page 6, line 24 – page 7, line 12.

The method may also include searching a table in the phone to locate an emergency phone number corresponding to the current position information. For example, Fig. 2 shows a mapping table storing MCC and emergency phone numbers by countries and Fig. 5 shows searching emergency number corresponding to MCC. See also page 8, lines 19-23 and page 9, lines 6-16.

Further, the method may include storing the emergency call number in an address of a phone book stored in the phone. For example, Fig. 5 shows filling assigned phone book with emergency number corresponding to MCC. See also page 8, lines 19-23.

Still further, the method may include linking the emergency number stored in the phone book with an emergency activation mechanism on the phone such that when the emergency activation mechanism is activated, the emergency number stored in the phone book is directly dialed without comparing the emergency phone number with other phone numbers in the table. For example, Fig. 6 shows pressing an emergency key to activate dialing an emergency number stored in the phone book. See also page 8, line 23 – page 9, line 5.

Even further, the method may include wherein the position recognition information is transmitted through an extended system parameters message. For example, Fig. 3 shows the position recognition information is transmitted through an extended system parameter message (ESPM). See also page 1, lines 19-22 and page 7, lines 13-17.

Moreover, the method may include wherein the table includes position recognition information allocated by countries and emergency call numbers corresponding to the position recognition information such that the emergency call number can be identified from the table using the position recognition information in the ESPM without requiring modification of the ESPM to include emergency call number. For example, Figs. 2 and 4 showing an emergency call mapping table including position recognition information allocated by countries and emergency call numbers corresponding to the position recognition information and that the emergency call number can be identified from the emergency call mapping table using the position recognition information in the ESPM without requiring modification of the ESPM to include an emergency call number. See also page 8, lines 1 – 12.

Independent Claim 27

Independent claim 27 recites a method for transmitting an emergency call using a mobile phone during roaming. For example, Fig. 1 shows a mobile phone and Fig.4 shows transmitting an emergency call. See also page 4, lines 17-21. The method may include receiving a mobile country code from a base station. For example, Fig. 3 shows receiving, updating and storing a Mobile Country Code (MCC). See also page 6, line 24 – page 7, line 12.

The method may also include using the mobile country code to identify a national

emergency number from an emergency call number mapping table stored in a memory. For example, Fig. 2 shows a mapping table storing MCC and emergency phone numbers by countries. See also page 6, lines 17-21.

Further, the method may include wherein the identified national emergency number is stored in a read address of a phone book. For example, Fig. 5 shows filling assigned phone book with emergency number corresponding to MCC. See also page 8, lines 19-23.

Still further, the method may include wherein the read address of the phone book in which the national emergency number is stored is linked to the emergency call key. For example, Fig. 6 shows pressing an emergency key to activate dialing an emergency number stored in the phone book. See also page 8, line 23 – page 9, line 5.

Even further, the method may include wherein the emergency call is directly transmitted using the emergency call key. For example, Fig. 6 shows trying the call until successful. See also page 9, lines 2-5.

Moreover, the method may include wherein the mobile country code is periodically transmitted through an extended system parameters message (ESPM) from a base station to thereby update the phone book with the emergency number. For example, Fig. 3 shows receiving, updating and storing a Mobile Country Code (MCC) through an ESPM. See also page 6, line 24 – page 7, line 17.

GROUND OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1, 2, 4, 9, 11, 12, 14, 17, 18 and 20-34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 98/48577 (hereinafter “Raith”) in view of U.S. Patent No. 6,321,098 (hereinafter “Beith”) and further in view of U.S. Patent No. 6,181,930 (hereinafter “Lee”). Appellants believe that each of the claims stands and falls separately from one another.

ARGUMENTS

The present application contains five independent claims, namely independent claims 1, 9, 14, 18 and 27. These claims contain different features as may be evidenced by the specifically claimed features and as may be pointed out below. For ease of illustration and discussion, similar types of claims (or claim features) may be discussed with respect to each other. This is not an admission that the claims are the same or that they stand or fall together. Rather, this is an attempt to narrow the number of issues and to limit the number of arguments. While arguments may be similar for different claims, it should be understood that differently claimed features are expressly used.

Appellants assert that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of pending claims 1, 2, 4, 9, 11, 12, 14, 17, 18 and 20-34 of the present application. Appellants respectfully request that the decision of the Examiner be reversed based on the following.

35 U.S.C. §103 Rejections

All rejections have been based on a combination of references being asserted by the Examiner under 35 U.S.C. §103(a). The ultimate determination of obviousness under §103 is a question of law. See, In re Leuders, 111 F.3d 1569, 1571, 42USPQ2d 1481, 1482 (Fed. Cir. 1997). The factual predicates underlying an obviousness determination include the scope and content of the prior art, the differences between the prior art and the claimed invention, and the level of ordinary skill in the art at the time of the invention. See, Monarch Knitting Mach. Corp. v. Sulzer Morat GmbH, 139 F.3d 877, 881, 45 USPQ2d 1977, 1981 (Fed. Cir. 1998).

To reject claims in an application under Section 103, an Examiner must show an un rebutted prima facie case of obviousness. See, In re Deuel, 51 F.3d 1552, 1557, 34 USPQ2d 1210, 1214 (Fed. Cir. 1995). In the absence of a proper prima facie case of obviousness, an applicant who complies with the other statutory requirements is entitled to a patent. See, In re Oetiker, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992). It is respectfully submitted that the Examiner has not met the required legal burden as set forth by the courts to substantiate valid rejections under 35 U.S.C. 103(a).

Appellants assert that the references cited by the Examiner in the Office Action do not disclose or suggest the limitations in the claims of the present application. Moreover, the Examiner has failed to show a proper motivation to combine the cited references and, therefore, the Examiner has not made a proper prima facie case of obviousness for any of the rejections.

The Examiner has grouped ALL independent claims in the present application into a single §103 rejection and, therefore, has not addressed each independent claim on its own

merits with respect to assertions that the combination of references disclose or render obvious the limitations in each of these claims. The Examiner appears to have simply identified some limitations in the independent claims and provided cited portions of the references that allegedly disclose these limitations.

Independent claim 1

Regarding claim 1, Appellants submit that none of the cited references, taken alone or in any proper combination, disclose suggest or render obvious the limitations in the combination of this claim of, inter alia, receiving position recognition information from a base station. The Examiner asserts that Raith discloses these limitations at page 6, lines 13-14. However, these portions merely disclose that “[a]lternatively, the number may be an emergency number which is broadcast by the system over the air interface, e.g., over a broadcast channel”, which refers to an emergency number being broadcasted. This is not receiving position recognition information from a base station, as recited in the claims of the present application. Raith discloses broadcasting the emergency number. In each example of Raith, it is the actual emergency number that is broadcast and there is no mention in Raith about receiving position recognition information from the base station. In addition, Raith does not disclose or suggest receiving position recognition information and then identifying the emergency call number from the emergency call mapping table based on the received position recognition information.

Embodiments of the present invention advantageously use an existing extended system parameter message (ESPM) of a paging channel that includes position recognition information such as a mobile country code. Thus, according to embodiments of the present invention, because the emergency call mapping table includes the country codes and the

corresponding emergency number (see Figure 2, for example), it is possible to receive the ESPM and determine the position recognition information from the ESPM and then using the position recognition information search the mapping table to determine the appropriate emergency number. These features are not disclosed or suggested in Raith.

Moreover, Appellants submit that none of the cited references, taken alone or in any proper combination, disclose suggest or render obvious linking an emergency key to the emergency call number stored in the phone book such that when the emergency key is activated, the emergency number stored in the phone book is directly dialed without comparing the stored emergency number to other emergency numbers in the emergency call mapping table. The Examiner merely asserts that Raith discloses linking an emergency key to the emergency call number and only references Fig. 2, 260. This is not linking an emergency key to the emergency call number stored in the phone book such that when the emergency key is activated, the emergency number stored in the phone book is directly dialed without comparing the stored emergency number to other emergency numbers, as recited in the claims of the present application. According to embodiments of the present application, the emergency number stored in the phonebook is directly dialed without comparing the stored emergency number to other emergency numbers in the emergency call mapping table. In contrast, Raith, discloses that the mobile station always compares the dialed call number with emergency call numbers in the mapping table so as to determine whether or not the dialed call number matches with one of the stored emergency call numbers (see e.g., Fig. 3, step S310). Thus, the emergency call is never directly dialed. As noted in M.P.E.P. § 2141 (II)(B) – Basic Considerations Which Apply to Obviousness Rejections, the references must be considered as a whole. Considering Raith in its entirety, it is clear that the emergency call

number must be compared with emergency call numbers in the mapping table so as to determine whether or not the dialed call number matches with one of the stored emergency call numbers to thereby quickly process the emergency dialed number, if appropriate. This is the main teaching of Raith.

The Examiner admits that Raith does not disclose or suggest storage of emergency numbers in a phone book, but asserts that Beith discloses these limitations at col. 3, lines 41-56. However these portions merely disclose a phone book for storing destination numbers. This is not a phone book containing an emergency call number linked to an emergency key such that when the emergency key is activated, the emergency number stored in the phone book is directly dialed, as recited in the claims of the present application. Further, the combination of Raith and Beith fail to achieve the limitations in the claims of the present application since this combination at best allegedly merely produces numbers in a phone book being compared with a number dialed or selected by the user, as noted previously.

In addition, Appellants submit that none of the cited references, taken alone or in any proper combination, disclose suggest or render obvious the position recognition information being periodically transmitted through an extended system parameter message (ESPM) of a paging channel from the base station, or the emergency call number being identified from the emergency call mapping table using the position recognition information in the ESPM without requiring modification of the ESPM to include an emergency call number. The Examiner admits that neither Raith nor Beith disclose or suggest where the position recognition information is periodically transmitted through an extended system parameter message (ESPM) of a paging channel from the base station, by asserts that Lee discloses

these limitations at Fig. 2 and col. 3, lines 1-36. However, these portions merely disclose a data format for message groups of the paging channel. Lee specifically teaches in col. 31, lines 31-36, that a new message is added for the purpose of indicating the area code. This section indicates the area code may be added to an existing paging channel message such as the system parameters message. This is not an extended system parameter message, as recited in the claims of the present application. According to embodiments of the present invention, the existing ESPM is advantageously used, which includes the mobile country code, and then uses the received mobile country code to search the mapping table on the mobile phone to determine the appropriate emergency number. In addition, it is respectfully noted in Lee, the area code is transmitted. This is not position recognition information allocated by countries and emergency call numbers corresponding to the position recognition information, as recited in the claims of the present application.

Since the Examiner's rejection depends on a combination of prior art references Raith, Beith and Lee, there must be some teachings, suggestion or motivation to combine the references. See, In re Geiger, 815 F.2d 686, 688, 2 USPQ2d 1276, 1278 (Fed. Cir. 1987). Further, "[w]hen determining the patentability of a claimed invention which combines two known elements, 'the question is whether there is something in the prior art as a whole to suggest the desirability, and thus the obviousness, of making the combination.'" See, In re Beattie, 974 F.2d 1309, 1311-12, 24 USPQ2d 1040, 1042 (Fed. Cir. 1992) (quoting Lindemann Maschienenfabrik GmbH v. American Hoist & Derrick Co., 730 F.2d 1452, 1462, 221 USPQ 481, 488 (Fed. Cir. 1984)). This does not exist here. There is nothing in the prior art to suggest the desirability, and thus the obviousness, of making this combination.

Independent claim 9

As noted previously, the Examiner has grouped all independent claims in the present application into a single §103 rejection and, therefore, has not addressed each independent claim on its own merits with respect to assertions that the combination of references disclose or render obvious the limitations in each of these claims. However, Appellants submit that for reasons similar to those noted previously regarding claim 1, none of the cited references, taken alone or in any proper combination, disclose or suggest the limitations in the combination of claim 9 of, inter alia, receiving position recognition information from a base station via a forward channel in roaming a mobile terminal, or linking a one-touch dial to the emergency number stored in the phone book such that when the one-touch dial is activated, the emergency number stored in the phonebook is directly dialed without comparing the stored emergency number to other emergency numbers in the emergency call mapping table, or transmitting an emergency call by using the one-touch dial, or wherein the position recognition information is transmitted through an extended system parameter message (ESPM) of the forward channel, or wherein the emergency call mapping table includes position recognition information allocated by countries and emergency call numbers corresponding to the position recognition information such that the emergency call number can be identified from the emergency call mapping table using the position recognition information in the ESPM without requiring modification of the ESPM to include an emergency call number.

As noted previously, none of the cited references disclose or suggest these limitations since Raith merely discloses broadcasting the emergency number and that the mobile station always compares the dialed call number with emergency call numbers in the mapping table so

as to determine whether or not the dialed call number matches with one of the stored emergency call numbers a phone book for storing destination numbers, Beith merely discloses a phone book for storing destination numbers, and Lee specifically teaches that a new message is added for the purpose of indicating the area code and that the area code may be added to a system parameters message.

Independent claim 14

As noted previously, the Examiner has grouped all independent claims in the present application into a single §103 rejection and, therefore, has not addressed each independent claim on its own merits with respect to assertions that the combination of references disclose or render obvious the limitations in each of these claims. However, Appellants submit that for reasons similar to those noted previously regarding claim 1, none of the cited references, taken alone or in any proper combination, disclose or suggest the limitations in the combination of claim 14 of, inter alia, allocating position recognition information and an emergency call number to a mapping table, or searching an emergency call number by comparing the received position recognition information to position recognition information stored in the mapping table and storing the emergency call number in a phone book of the mobile terminal (phone), or linking a read address of the emergency call number stored in the phonebook to a one-touch dial, or where the position recognition information is transmitted through an extended system parameters message.

Moreover, Appellants submit that none of the cited references disclose or suggest automatically replacing the emergency number stored in the phonebook with a new emergency number if new position recognition information is received indicating the mobile phase (sic)(phone) has moved to a new position by searching the mapping table to identify

the new position information and the corresponding new emergency number and replacing the emergency number stored in the phonebook with the new emergency phone number. The Examiner provides no portions of any reference that discloses or suggests these limitations.

As noted previously, none of the cited references disclose or suggest these limitations since Raith merely discloses broadcasting the emergency number and that the mobile station always compares the dialed call number with emergency call numbers in the mapping table so as to determine whether or not the dialed call number matches with one of the stored emergency call numbers a phone book for storing destination numbers, Beith merely discloses a phone book for storing destination numbers, and Lee specifically teaches that a new message is added for the purpose of indicating the area code and that the area code may be added to a system parameters message.

Independent claim 18

As noted previously, the Examiner has grouped all independent claims in the present application into a single §103 rejection and, therefore, has not addressed each independent claim on its own merits with respect to assertions that the combination of references disclose or render obvious the limitations in each of these claims. However, Appellants submit that for reasons similar to those noted previously regarding claim 1, none of the cited references, taken alone or in any proper combination, disclose or suggest the limitations in the combination of claim 18 of, inter alia, searching a table in the phone to locate an emergency phone number corresponding to the current position information, or storing the emergency call number in an address of a phone book stored in the phone, or linking the emergency number stored in the phone book with an emergency activation mechanism on the phone

such that when the emergency activation mechanism is activated, the emergency number stored in the phone book is directly dialed without comparing the emergency phone number with other phone numbers in the table, or wherein the position recognition information is transmitted through an extended system parameters message, or wherein the table includes position recognition information allocated by countries and emergency call numbers corresponding to the position recognition information such that the emergency call number can be identified from the table using the position recognition information in the ESPM without requiring modification of the ESPM to include emergency call number.

As noted previously, none of the cited references disclose or suggest these limitations since Raith merely discloses broadcasting the emergency number and that the mobile station always compares the dialed call number with emergency call numbers in the mapping table so as to determine whether or not the dialed call number matches with one of the stored emergency call numbers a phone book for storing destination numbers, Beith merely discloses a phone book for storing destination numbers, and Lee specifically teaches that a new message is added for the purpose of indicating the area code and that the area code may be added to a system parameters message.

Independent claim 27

As noted previously, the Examiner has grouped all independent claims in the present application into a single §103 rejection and, therefore, has not addressed each independent claim on its own merits with respect to assertions that the combination of references disclose or render obvious the limitations in each of these claims. However, Appellants submit that for reasons similar to those noted previously regarding claim 1, none of the cited references, taken alone or in any proper combination, disclose or suggest the limitations in the combination of claim 27 of, inter alia, receiving a mobile country code from a base station, or using the mobile country code to identify a national emergency number from an emergency call number mapping table stored in a memory, or where the identified national emergency number is stored in a read address of a phone book, or where the read address of the phone book in which the national emergency number is stored is linked to the emergency call key, or where the emergency call is directly transmitted using the emergency call key, or where the mobile country code is periodically transmitted through an extended system parameters message (ESPM) from a base station to thereby update the phone book with the emergency number.

As noted previously, none of the cited references disclose or suggest these limitations since Raith merely discloses broadcasting the emergency number and that the mobile station always compares the dialed call number with emergency call numbers in the mapping table so as to determine whether or not the dialed call number matches with one of the stored emergency call numbers a phone book for storing destination numbers, Beith merely discloses a phone book for storing destination numbers, and Lee specifically teaches that a new message is added for the purpose of indicating the area code and that the area code may

be added to a system parameters message.

Dependent claims 4, 29, 30

Appellants submit that none of the cited references, taken alone or in any proper combination, disclose suggest or render obvious the limitations in the combination of each of these claims. The Examiner asserts that Raith discloses these limitations at the summary and page 7, line 19-page 8, line 27. However, these portions merely disclose the mobile unit having a database of all possible emergency numbers such that each time a number is dialed into the mobile unit, that number can be compared with the database to determine if the call is an emergency call. This is not shifting a pre-set search position on the emergency call mapping table to a position which corresponds to the received position recognition information when the mobile phone enters an area which corresponds to the received position recognition information, as recited in the claims of the present application.

Dependent claim 17

Appellants submit that none of the cited references, taken alone or in any proper combination, disclose suggest or render obvious the limitations in the combination of this claim. The Examiner asserts that Raith discloses these limitations at page 6, lines 8-25. However, as noted previously, Raith discloses comparing the dialed number before a call is transmitted. This is not directly transmitting the emergency call using the emergency key, as recited in the claims of the present application.

Remaining Claims

Each of the independent claims is believed to define patentable subject matter as discussed above. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this additional reason. In

addition, the dependent claims recite features that further and independently distinguish over the applied references. Each of the dependent claims depends from at least one of the independent claims and therefore defines patentable subject matter at least for these additional reasons. Appellant respectfully submits that the other remaining claims each stand and fall separately from the respective claims from which they depend.

Accordingly, Appellants assert that neither Raith, Beith nor Lee, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of claims 1, 2, 4, 9, 11, 12, 14, 17, 18 and 20-34 in the present application. Appellants respectfully request that these rejections be reversed and these claims allowed.

CLAIMS APPENDIX

The attached Appendix contains a copy of the claims involved in the appeal.

EVIDENCE APPENDIX

Applicant has not provided any evidence with this appeal and therefore an Evidence Appendix is not provided.

RELATED PROCEEDINGS APPENDIX

Applicants have not providing copies of related decisions and therefore a Related Proceeding Appendix is not provided.

CONCLUSION

It is respectfully submitted that the above arguments show that each of claims 1, 2, 4, 9, 11, 12, 14, 17, 18 and 20-34 are patentable over the applied references. Based at least on these reasons, it is respectfully submitted that each of these claims defines patentable subject matter. Applicant respectfully requests that the rejection of claims 1, 2, 4, 9, 11, 12, 14, 17, 18 and 20-34 set forth in the November 2, 2005 Office Action be reversed and that these claims be allowed.

Respectfully submitted,
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APPENDIX

1. (Previously Presented) A method for transmitting an emergency call using a CDMA mobile phone during roaming, comprising:

receiving position recognition information from a base station;

identifying an emergency call number from an emergency call mapping table stored in a memory using the position recognition information;

storing the emergency call number in a phone book of the mobile phone;

linking an emergency key to the emergency call number stored in the phone book such that when the emergency key is activated, the emergency number stored in the phone book is directly dialed without comparing the stored emergency number to other emergency numbers in the emergency call mapping table; and

transmitting an emergency call using the emergency key,

wherein the position recognition information is periodically transmitted through an extended system parameter message (ESPM) of a paging channel from the base station, and

wherein the emergency call mapping table includes position recognition information allocated by countries and emergency call numbers corresponding to the position recognition information such that the emergency call number can be identified from the emergency call mapping table using the position recognition information in the ESPM without requiring modification of the ESPM to include an emergency call number.

2. (Previously Presented) The method according to claim 1, wherein the position recognition information includes a Mobile Country Code.

4. (Previously Presented) The method according to claim 1, further comprising:
shifting a pre-set search position on the emergency call mapping table to a position which corresponds to the received position recognition information when the mobile phone enters an area which corresponds to the received position recognition information.

9. (Previously Presented) A method for transmitting an emergency call of a CDMA mobile phone, comprising:

receiving position recognition information from a base station via a forward channel in roaming a mobile terminal;

searching an emergency call mapping table previously stored in a memory according to the received position recognition information and setting an emergency call number;

storing the emergency call number in a phone book of the mobile phone;

linking a one-touch dial to the emergency number stored in the phone book such that when the one-touch dial is activated, the emergency number stored in the phonebook is directly dialed without comparing the stored emergency number to other emergency numbers in the emergency call mapping table; and

transmitting an emergency call by using the one-touch dial,

wherein the position recognition information is transmitted through an extended system parameter message (ESPM) of the forward channel, and

wherein the emergency call mapping table includes position recognition information allocated by countries and emergency call numbers corresponding to the position recognition information such that the emergency call number can be identified from the emergency call mapping table using the position recognition information in the ESPM without requiring modification of the ESPM to include an emergency call number.

11. (Previously Presented) The method according to claim 9, wherein a read address of the phone book is identical to the number of the one-touch dial.

12. (Original) The method according to claim 9, wherein the position recognition information is a Mobile Country Code.

14. (Previously Presented) A method for transmitting an emergency call of a CDMA mobile phone, comprising:

allocating position recognition information and an emergency call number to a mapping table;

receiving position recognition information that is periodically transmitted from a

base station;

searching an emergency call number by comparing the received position recognition information to position recognition information stored in the mapping table and storing the emergency call number in a phone book of the mobile terminal;

linking a read address of the emergency call number stored in the phonebook to a one-touch dial;

automatically replacing the emergency number stored in the phonebook with a new emergency number if new position recognition information is received indicating the mobile phase has moved to a new position by searching the mapping table to identify the new position information and the corresponding new emergency number and replacing the emergency number stored in the phonebook with the new emergency phone number; and

making an emergency call by using the one-touch dial,

wherein the position recognition information is transmitted through an extended system parameters message.

17. (Previously Presented) The method according to claim 1, wherein the transmitting step includes: directly transmitting the emergency call using the emergency key.

18. (Previously Presented) A method for making an emergency phone call using a

phone in a CDMA mobile communication system, comprising:

receiving current location information;

searching a table in the phone to locate an emergency phone number corresponding to the current position information;

storing the emergency call number in an address of a phone book stored in the phone; and

linking the emergency number stored in the phone book with an emergency activation mechanism on the phone such that when the emergency activation mechanism is activated, the emergency number stored in the phone book is directly dialed without comparing the emergency phone number with other phone numbers in the table,

wherein the position recognition information is transmitted through an extended system parameters message, and

wherein the table includes position recognition information allocated by countries and emergency call numbers corresponding to the position recognition information such that the emergency call number can be identified from the table using the position recognition information in the ESPM without requiring modification of the ESPM to include emergency call number.

20. (Previously Presented) The method of claim 18, wherein the emergency activation

mechanism an alpha-numeric key of the phone.

21. (Previously Presented) The method of claim 20, wherein the key is a one-touch key of the phone.

22. (Previously Presented) The method of claim 18, wherein the current location information includes a Mobile Country Code.

23. (Previously Presented) The method according to claim 1, further comprising:
automatically replacing the emergency number stored in the phonebook with a new emergency number if position recognition information is received indicating a new emergency number.

24. (Previously Presented) The method according to claim 9, further comprising:
automatically replacing the emergency number stored in the phone book with a new emergency number if position recognition information is received indicating a new emergency number.

25. (Previously Presented) The method according to claim 18, further comprising:

automatically replacing the emergency number stored in the phonebook with a new emergency number if position recognition information is received indicating a new emergency number.

26. (Previously Presented) The method according to claim 14, wherein the emergency number stored in the phone book is directly dialed without comparing the received position recognition information to position recognition information stored in the first memory.

27. (Previously Presented) A method for transmitting an emergency call using a mobile phone during roaming, comprising:

receiving a mobile country code from a base station; and

using the mobile country code to identify a national emergency number from an emergency call number mapping table stored in a memory,

wherein:

the identified national emergency number is stored in a read address of a phone book,

the read address of the phone book in which the national emergency number is stored is linked to the emergency call key,

the emergency call is directly transmitted using the emergency call key, and

the mobile country code is periodically transmitted through an extended system parameters message (ESPM) from a base station to thereby update the phone book with the emergency number.

28. (Previously Presented) The method according to claim 27, wherein the emergency call number mapping table includes mobile country codes and the national emergency call numbers corresponding to the mobile country codes.

29. (Previously Presented) The method according to claim 27, wherein identifying the national emergency call number is an emergency call number mapping table comprises varying a search position in the emergency call number mapping table according to the received mobile country code.

30. (Previously Presented) The method according to claim 29, wherein when varying the search position, a search position pre-set on the emergency call number mapping table when the user is in a different area is moved to a region in which the same mobile country code as the currently received mobile country code.

31. (Previously Presented) The method according to claim 29, wherein the mobile

country code is stored in memory when it is received, and is compared with the mobile country code in the emergency call number mapping table to identify the national emergency call number.

32. (Previously Presented) The method according to claim 27, wherein an emergency call is transmitted by one touch dialing.

33. (Previously Presented) The method according to claim 27, wherein the read address of the phone book is identical to the number of the emergency call key.

34. (Previously Presented) The method according to claim 27, further comprising:
allocating the mobile country code and the national emergency call number to a mapping table.